

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

ROBERT M. BENSON, No. CIV S-01-1623-MCE-CMK-P

Petitioner,

ORDER

CHERYL PLILER, et al.,

Respondents.

Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Pending before the court is petitioner's motion for a writ of habeas corpus filed on September 11, 2006.

On August 30, 2006, the court issued findings and recommendations and provided for objections to be filed within ten days of the date of service thereof. Petitioner now seeks an extension of that deadline to October 9, 2006. Good cause appearing therefor, the request will be granted. Petitioner is reminded that failure to file objections within the specified time may waive the right to appeal any order adopting the findings and recommendations. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

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1 Accordingly, IT IS HEREBY ORDERED that:

2 1. Petitioner's motion for an extension of time is granted; and

3 2. On or before October 9, 2006, any party may file written objections with
4 the court, such document to be captioned "Objections to Magistrate Judge's Findings and
5 Recommendations."

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7 DATED: September 18, 2006.

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9 CRAIG M. KELLISON
10 UNITED STATES MAGISTRATE JUDGE